
DIGEST

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Ernst

HB No. 523

Abstract: Increases penalties for illegal carrying of a firearm at a parade.

Present law provides that whoever commits the crime of illegal carrying of weapons with any firearm used in the commission of a crime of violence, within 1,000 feet of any parade or demonstration for which a permit is issued by a governmental entity shall be fined not more than \$2,000, or imprisoned, with or without hard labor, for not less than one year nor more than five years, or both.

Proposed law changes present law to define the crime as the illegal carrying of a firearm within 1,000 feet of any parade or demonstration for which a permit is issued by a governmental entity.

Proposed law changes present law penalty to provide that at least six months of the sentence shall be served without benefit of parole, probation, or suspension of sentence and otherwise retains present law penalties.

Proposed law provides that proposed law shall not apply to:

- (1) A federal, state, or local law enforcement officer in the performance of his official duties.
- (2) Any constitutionally protected activity which cannot be regulated by the state, such as a firearm contained entirely within a motor vehicle.
- (3) The possession of a firearm occurring within 1,000 feet of a parade and entirely on private property, within a private residence, or in accordance with a concealed handgun permit.
- (4) The possession of a firearm by a person who holds a valid certificate as a living historian in the use, storage, and handling of black powder issued by the office of state parks for the purpose of historic reenactments if the firearm is a black powder weapon which is an antique firearm.
- (5) The possession of a firearm which is authorized as a part of the parade.
- (6) Active and retired law enforcement officers authorized to carry concealed weapons under federal law.

(Amends R.S. 14:95.2.1(A); Adds R.S. 14:95.2.1(D); Repeals R.S. 40:1379.3(N)(9))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Changes minimum mandatory sentence from one year to six months.
2. Repeals provision of law prohibiting a concealed handgun permit holder from carrying his weapon at a parade or demonstration.
3. Adds exception for firearms which are authorized as a part of the parade itself.
4. Adds exception for active and retired law enforcement officers who are authorized to carry concealed weapons under federal law.